

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

HAZEL M. ROBY, etc.,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 2:05CV494-T
)	
BENTON EXPRESS, INC., et al.,)	
)	
Defendants.)	

ORDER

On this date, the court conducted a discovery hearing on the pending renewed Motion to Compel the sole remaining defendant, Benton Express, Inc. ["Benton"], to produce documents regarding workers compensation payments on behalf of Craig Stephens (Doc. # 40). The plaintiff's request at this time is limited to documents, and it was originally propounded as requests numbered 62 and 63 of the plaintiff's Second Request For Production, served on 13 June 2005 (See exhibits to Doc. # 31).

Based upon counsel's representation at the hearing, and for good cause, it is ORDERED as follows:

1. On or before 25 January 2006, the plaintiff shall file a Notice of Authorities Supporting The Supplemental Motion to Compel, as more fully explained at the hearing. The plaintiff shall precisely set forth in her Notice the documents she now seeks from the defendant. The plaintiff's request shall not exceed the bounds of items 62 and 63 of her Second Request For Production of

Documents, propounded on or about 13 June 2005. As the court advised the plaintiff at the hearing, the plaintiff's statement of her supplemental request shall supersede all previous requests for the same motion, and the court's ruling on the stated request shall be deemed and construed as the court's ruling on any other request for the same information.

2. On or before 27 January 2006, the defendant shall file its Notice of Authorities in Opposition to The Supplemental Motion to Compel. The defendant's Notice shall not exceed the bounds of its responses to items 62 and 63 of the plaintiff's Second Request For Production of Documents, served on or about 26 August 2005.

3. Thereafter, the court will enter an order ruling on the motion.

DONE this 23rd day of January, 2006.

/s/ Vanzetta Penn McPherson
VANZETTA PENN MCPHERSON
UNITED STATES MAGISTRATE JUDGE